

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

GARY FEDOR,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 4:09-857-TLW-TER
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

Upon consideration of Defendant's Motion for Entry of Judgment with Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g), and good cause appearing therefor, the Court hereby REVERSES the Commissioner's decision in this matter under sentence four of 42 U.S.C. § 405(g),¹ and REMANDS the cause to the Commissioner for further administrative proceedings.

Upon remand, the Commissioner will assign this case to an administrative law judge (ALJ) to hold a supplemental hearing and issue a new decision. The ALJ will reevaluate Plaintiff's anxiety and mild mental retardation in accordance with 20 C.F.R. §§ 404.1520a(c) and 416.920a(c); reconsider Plaintiff allegations of illiteracy; redetermine Plaintiff's residual functional capacity; and obtain vocational expert testimony to determine whether jobs exist that Plaintiff can perform.

IT IS SO ORDERED.

December 10, 2009
Florence, South Carolina.

s/ Terry L. Wooten
Terry L. Wooten
United States District Judge

¹ The Clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.